

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

DATE: Feb 23, 2005

CLERK'S MINUTES OF HEARING

HEARING BEFORE: SPECIAL MASTER VICKIE L. GABIN

CASE NAME & NUMBER: STATE of NM v. ARAGON, 69cv07941-AA-ACE

CHAMA ADJUDICATION, SECTIONS 3,5 & 7

DATE OF HEARING: FEBRUARY 10, 2005 TIME: 10:00 a.m.

COUNSEL:

PLAINTIFF:

EDWARD G. NEWVILLE, OSCE

DAVID W. GEHLERT, USDOI

DEFENDANTS:

MARY HUMPHREY

FRED WALTZ

JOHN UTTON, SUSAN JORDAN

NOTES: RE: Order Setting Status Conference (# 7703 filed) 1-13-05)

Status conference was held as scheduled in the City Council Chambers in Chama, N.M. Matters on the agenda included:

- 1) General status of the adjudication of Sections 3, 5 & 7;
- 2) Proposed procedural and scheduling order for federal non-Indian claims: discussion of services and intervention by accueas and/or Augus' Acois; order possibly prejudicial to claims in other sections; pending U.S. claims under Wilderness Act. These points to be clarified in proposed order;
- 3) Proposed scheduling and procedural order for adjudication of consumptive irrigation requirement; OSCE attorney to prepare draft order;

COURT REPORTER: NONE

OTHERS IN ATTENDANCE:
SEE PAGES 3+4

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- 4) Proposed scheduling order for resolution of ext claims, other matters in Section 2; Special Master instructed opposing Counsel to meet with Court's Data Manager and to prepare a proposed scheduling order to present at next general status conference;
- 5) Status of adjudication of State law-based rights of Jicarilla Apache Nation; Counsel for Jicarilla reported substantial agreement between client and State; counsel sets prepare motion to amend procedural order & proposed order;
- 6) Status of litigation on disputed subject: CHRB-004-0039 & CHRB-003-0001: Counsel for SCS to prepare PTO; CHRB-002-0001 and CHRB-002-0002: Counsel for OSG is to prepare requiring Defendants to comply with legal and adjudication process - to file proper motions and answers;
- 7) Other relevant matters: El Barrenos & Ranchitos Ditches - questions re: diversion of water
- 8) Next status conference: Tuesday, April 12 in Santa Fe; agenda:
 - a) Monday & Tuesday pretrial conf CHRB-002-0002 & CHRB-002-0001
 - b) Progress on Section 2
 - c) CIR - report on reaching agreement on methodology
 - d) Report by parties on reach agreement on US Wild & Scenic Clms Order setting conference will be filed by mid-March

CHAMA ADJUDICATION
State of New Mexico ex rel. State Engineer v. Aragon, 69cv07941-BB-ACE
Sections 3, 5 & 7 General Status Conference

Thursday, February 10, 2005

ATTENDANCE

Please Print

NAME	ADDRESS	ZIP CODE	TELEPHONE
<u>Robert A. Martinez</u>	P.O. Box 12, Los Ojos	87551	588-7346
<u>Fernando Salazar</u>		87551	588-7346
<u>Medardo Sanchez, Jr.</u>	P.O. Box 96, Los Ojos	87551	588-7858
<u>Hilario Rubio - OSE</u>	P.O. Box 25102, Santa Fe 87504		827-3822
<u>Miguel R Sanchez</u>	P.O. Box 131 Los Ojos, NM	87551	505-756-2463
<u>Cleo C. Sanchez</u>	Box 131 Los Ojos, NM 87551		756-2463
<u>Ruby S. Chacon</u>	P.O. Box 163, Gallina, NM 87017		638-5386
<u>James Quintana</u>	OSE Santa Fe		827-4208
<u>Mark Salazar</u>	OSE Santa Fe		827-3864
<u>Chris Rodriguez</u>	OSE SANTA FE		827-6113
<u>Joe Farria</u>	P.O. Box 90398 Ft. NM		298-0017

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NAME	ADDRESS	ZIP CODE	TELEPHONE
Diego Gonzalez	10 S. 6 E. Pine Blanca, NM	87041	505-465-0360
Mrs W. Mundy	HC 75 Box 81 Chama	87520	505-756-2403

Please See Next Page